UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 01-2156

JANE E. SEILER, Administratrix of the Estate of Roberts W. Roberts, deceased

Appellant

v.

AMERICAN INTERNATIONAL INSURANCE COMPANY

On Appeal from the United States District Court for the Middle District of Pennsylvania

District Court Judge: The Honorable William W. Caldwell (No. 1-CV-00-1792)

Submitted under Third Circuit L.A.R. 34.1(a) July 22, 2003

Before: ALITO, FUENTES <u>Circuit Judges</u>, and SURRICK,* <u>District Judge</u>.

(Opinion Filed: August 21, 2003)

JUDGMENT

^{*}Hon. R. Barclay Surrick, U.S. District Judge for the Eastern District of Pennsylvania, sitting by designation.

This cause came to be submitted from the United States District Court for the Middle District of Pennsylvania on July 22, 2003, pursuant to Third Circuit L.A.R. 34.1(a).

On consideration whereof, it is now here ORDERED and ADJUDGED by this Court that the order of said District Court entered on April 30, 2001, be, and the same is hereby AFFIRMED. Costs are taxed against Appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

marie M. Waldra

Clerk

Dated: August 21, 2003

Certified as a true copy and issued in lieu of a formal mandate on October 15, 2003

Teste:

marcia m. Wallon

Clerk, U.S. Court of Appeals For the Third Circuit.